

22 TAC §76.3. Fees for Providing Patient Records

- (a) A licensee or other person may charge a reasonable fee not to exceed \$50 for providing routine patient records in a digital-only format.
- (b) A licensee or other person may charge a reasonable fee not to exceed \$25 for providing paper-only copies of routine patient records, plus an additional \$0.25 per page.
- (c) A licensee or other person may charge a reasonable fee not to exceed \$50 for providing non-digital copies of routine films or other static diagnostic imaging studies, plus an additional \$1.00 per page.
- (d) A licensee or other person may charge an additional reasonable fee for providing patient records under subsection (a) of this section if:
 - (1) the digital records are voluminous and not routine; and
 - (2) the licensee or other person provides a written explanation of the need for the fee.
- (e) A licensee or other person shall notify the requestor of patient records of any fee within five business days of receipt of the request.
- (f) A licensee or other person may demand advance payment for patient records except from another health care provider if the request was made because of emergency or acute medical situation.
- (g) If a licensee or other person does not receive the fee within ten business days after the requestor was notified of the fee, the licensee or other person shall notify the requestor of the need for payment.
- (h) A licensee or other person may charge a separate fee for the actual costs of mailing, shipping, notarizing documents, or delivery of patient records.
- (i) A licensee or other person may charge a reasonable fee not to exceed \$25 for completing a custodian of records affidavit for patient records.
- (j) A licensee or other person may charge a reasonable fee in advance to answer a deposition by written question.
- (k) A licensee or other person may not charge for providing patient records where prohibited by Texas Health and Safety Code Chapter 161 or any other applicable state or federal law.